

REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1-17, 19-24, 26 and 29 are pending.

Claims 1-8, 10-17, 19-24 and 26 stand rejected.

Claim 9 is objected to but would be allowable if rewritten in independent form.

Claims 1, 20, and 29 are independent claims.

Claim 29 is allowed.

Claims 1 and 20 have been amended. Claim 9 has been cancelled.

Claims 1, 2, 4-8, and 13 stand rejected under 35 USC 102(b) as being anticipated by Yamazaki (USP no. 6, 115, 007). Claims 3, 20-23 and 25-26 stand rejected under 35 USC 103(a) as being unpatentable over Yamazaki in view of Lamvik (USP no. 7, 495, 638). Claims 10-12 and 14 stand rejected under 35 USC 103(a) as being unpatentable over Yamazaki in view of Akamatsu (USP no. 6, 172, 807). Claims 15 and 16 stand rejected under 35 USC 103(a) as being unpatentable over Yamazaki in view of Bass (USP no. 4, 959, 641). Claim 17 and 19 stand rejected under 35 USC 103(a) as being unpatentable over Yamazaki in view of Hoshi (USP no. 5,943, 166). Claim 24 stands rejected under 35 USC 103(a) as being unpatentable over Yamazaki and Lamvik and further in view of Hoshi.

Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Claim 29 is allowed.

Applicant wishes to thank the Examiner for the indication of allowable subject matter in claim 9 if rewritten in independent form and has elected to amend claims 1 and 20 to include the subject matter recited in claim 9.

For the amendments made to claims 1 and 20, applicant submits that the independent claim and, consequently, the remaining dependent claims are in a form that

is consistent with the indication of allowable subject matter.

Claims 1, 2, 4-8, 13 and 18 stand rejected under 35 USC 102(b) as being anticipated by Yamazaki (USP no. 6, 115, 007).

Applicant respectfully disagrees with and explicitly traverses the rejection of the claims. However, independent claims 1 and 20 have been amended to include the subject matter recited in claim 9, which has been indicated to be allowable if rewritten in independent form.

For the amendment made to claim 1 (and claim 20), applicant submits that the reason for the rejection of the aforementioned claims is no longer applicable. Applicant respectfully requests that the rejection of the claims be withdrawn.

Claims 3, 20-23 and 25-26 stand rejected under 35 USC 103(a) as being unpatentable over Yamazaki in view of Lamvik.

Applicant respectfully disagrees with and explicitly traverses the rejection of the claims. Claim 3 depends from claim 1 and claims 21-24 and 25-28 depend from claim 20. As noted previously, independent claim 20 has been amended in a manner similar to that of claim 1. Hence, claim 20 discloses subject matter not disclosed by Yamazaki and, thus, each of the dependent claims are also disclose subject matter not disclosed by Yamazaki by virtue of their dependency upon an allowable base claim. Lamvik fails to provide any teaching that would correct the deficiency found to exist in the teachings of Yamazaki.

For the amendments made to the claims 1 and 20, these claims including subject matter not disclosed by Yamazaki and Lamvik and, hence, the aforementioned claims, which depend from claims 1 and 20, are also not rendered obvious by the cited references.

With regard to the rejection of the remaining claims under 35 USC 103, these claims depend from independent claims 1 and 20 and, none of the additionally cited references provides any teaching to correct the deficiency found to exist in the teaching

of Yamazaki. Hence, each of the remaining claims is also allowable by virtue of its dependency upon an allowable base claim

For the amendments made to the claims and for the remarks made, herein, applicant submits that the reason for the rejections of the claims has been overcome and respectfully requests that the rejections be withdrawn and a Notice of Allowance be issued.

Although the instant Office Action has been made final, the amendments made to the claims should be entered into the record as the amendments are in a form consistent with the indication of allowable subject matter, and does not introduced any matter that has not been previously review. Accordingly, only a cursory search of the prior art need be performed.

Applicant denies any statement, position or averment stated in the Office Action that is not specifically addressed by the foregoing. Any rejection and/or points of argument not addressed are moot in view of the presented arguments and no arguments are waived and none of the statements and/or assertions made in the Office Action is conceded.

Applicant makes no statement regarding the patentability of the subject matter recited in the claims prior to this Amendment and has amended the claims solely to facilitate expeditious prosecution of this patent application. Applicant respectfully reserves the right to pursue claims, including the subject matter encompassed by the originally filed claims, as presented prior to this Amendment, and any additional claims in one or more continuing applications during the pendency of the instant application.

Should the Examiner believe that the disposition of any issues arising from this response may be best resolved by a telephone call, the Examiner is invited to contact applicant's representative at the telephone number listed below.

No fees are believed necessary for the timely filing of this paper.

Respectfully submitted,

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